



CONFIDENTIAL

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1 VOLUME: I  
2 PAGES: 1-191  
3 EXHIBITS: 115-132  
4

5 UNITED STATES DISTRICT COURT  
6 SOUTHERN DISTRICT OF CALIFORNIA  
7

8 - - - - - x  
9 GEN-PROBE INCORPORATED,  
10 Plaintiff,  
11 v. C.A. No.  
12 VYSIS, INC., 99CV2668 H (AJB)  
13 Defendant.  
14 - - - - - x

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16

17 DEPOSITION of JAMES C. RICHARDS

18 March 30, 2001

19 9:51 a.m.

20 Westin Hotel

21 70 Third Avenue

22 Waltham, Massachusetts

23

24 Reporter: Michael D. O'Connor, RPR

MANHATTAN REPORTING CORP.  
(212) 557-7400

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1 Q. What follows in the four or five  
2 sentences after that CIP --

3 A. Right. -- is describing the subject  
4 matter of the CIP, isn't it?

5 A. This would have been conversations  
6 with Janiuk or something like that, as I said,  
7 verbal discussions. I didn't read this thing.

8 Q. You didn't read what?

9 A. This application. I asked Tony --  
10 see, we had a file, the MOI file, and this was  
11 in it, and it was something we needed to pursue,  
12 along with the others that were in this letter.

13 Q. The four or five sentences that follow  
14 after the statement that a CIP application was  
15 filed about a year later --

16 A. Yes.

17 Q. -- was your understanding of the  
18 method of amplification taught in the CIP  
19 application; is that correct?

20 A. Say that question again.

21 Q. The details of the amplification  
22 process that are set forth there, that's your  
23 understanding of the amplification method set  
24 forth in the column CIP that claimed target

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## 1 CERTIFICATE

2 Commonwealth of Massachusetts  
3 Suffolk, ss.

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5 I, Michael D. O'Connor, Registered  
6 Professional Reporter and Notary Public in and  
7 for the Commonwealth of Massachusetts, do hereby  
8 certify that JAMES C. RICHARDS, the witness  
9 whose deposition is hereinbefore set forth, was  
10 duly sworn by me and that such deposition is a  
11 true record of the testimony given by the  
12 witness.13 I further certify that I am neither related  
14 to or employed by any of the parties in or  
15 counsel to this action, nor am I financially  
16 interested in the outcome of this action.17 In witness whereof, I have hereunto set my  
18 hand and seal this 2nd day of April, 2001.

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23 My commission expires  
24 October 26, 2001Michael D. O'Connor  
Notary Public

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